

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KELLY HARRIS,

Plaintiff,

v.

GENERAL MOTORS LLC,

Defendant.

C20-257 TSZ

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) The Motion for Reconsideration, docket no. 34, is GRANTED. The Court concludes that Plaintiff's fraudulent omission claim is not preempted by the Washington Products Liability Act. *See* RCW § 7.72.010(4). Defendant's motion to dismiss, docket no. 12, is therefore DENIED in part, and Plaintiff may assert a fraudulent omission claim as a standalone claim in any amended complaint.

(2) The Court therefore VACATES the portion of the Minute Order entered September 2, 2020, docket no. 33, dismissing without prejudice Plaintiff's fourth cause of action for fraudulent omission—i.e., Section IV and the related language in Paragraph 1 of the Conclusion. All other terms and conditions of that Minute Order not inconsistent herewith, including the deadline to file any amended complaint, shall remain in full force and effect.

(3) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Dated this 19th day of October, 2020.

William M. McCool

Clerk

s/Gail Glass

Deputy Clerk